

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

EVON BUHECKER, et al.,  
 Plaintiff(s),

vs.

DELTA AIR LINES, INC.,  
 Defendant(s).

Case No. 2:15-cv-0769-LDG-VCF

ORDER

On October 14, 2015, the Court set an early neutral evaluation in this case for December 10, 2015, and specifically ordered that all individual parties must attend. Docket No. 12. Notwithstanding that clear order, Plaintiffs Pope and Fernandez failed to appear for the early neutral evaluation. *See* Docket No. 23. The Court then issued an order for Plaintiffs Pope and Fernandez to show cause why they should not be sanctioned for their non-appearance. Docket No. 24. Plaintiffs Pope and Fernandez filed a response. Docket No. 26. Plaintiff Pope indicates that he lives out-of-state, could not get a flight for the ENE, and is going through a divorce. *See id.* at 2. Plaintiff Fernandez indicates that he did not attend because he was worried about lost wages from his current job. *See* Docket No. 26-1. The time to raise these issues was when the Court issued its order requiring that Plaintiff Pope and Plaintiff Fernandez appear for the ENE. Indeed, that order expressly provided a mechanism by which the Court could consider excusing personal attendance. *See* Docket No. 12 at 2.

Plaintiffs are required to prosecute their claims, which includes appearing in this Court as ordered. If Plaintiffs are unable to comply with a particular Court order, they must promptly notify their

1 counsel so that he may seek relief from the Court. The proper course of conduct is not to simply disobey  
2 an order, even if Plaintiffs believed they had reason to do so.

3 The Court hereby **ADMONISHES** Plaintiffs Pope and Fernandez for their non-appearance.  
4 While the Court in this instance declines to impose monetary sanctions against them, Plaintiffs Pope and  
5 Fernandez are warned that future failure to comply with Court orders or applicable rules may result in  
6 the imposition of severe sanctions, up to and including dismissal of their claims.

7 IT IS SO ORDERED.

8 DATED: December 28, 2015

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12 Nancy J. Koppe  
13 United States Magistrate Judge  
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